

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:18-CT-3111-D

RICKY BANKS,

Plaintiff,

v.

THOMAS E. ASBELL, II, et al.,

Defendants.

ORDER

On January 31, 2019, Magistrate Judge Numbers issued a Memorandum and Recommendation ("M&R") and recommended that the court dismiss Ricky Banks's ("Banks" or "plaintiff") complaint as duplicative [D.E. 33]. Banks did not object to the M&R.

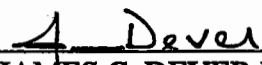
"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond, 416 F.3d at 315 (quotation omitted). The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 33].

Although Banks did not object to the M&R, he did file a motion requesting copies of materials that he filed with the court [D.E. 35]. A pro se litigant is responsible for properly maintaining legal records. See Clegg-Arrs v. Wiggins, No. 5:15-CT-3060-D, 2015 WL 4760705,

at *3 (E.D.N.C. Aug. 12, 2015) (unpublished). Accordingly, Banks's motion for copies is denied. If Banks requires copies of court filings, the clerk of court will provide such copies for a fee of fifty cents per page. See 28 U.S.C. § 1914 n.4 (District Court Miscellaneous Fee Schedule). Banks may submit his request directly to the clerk of court and pay the required fee.

In sum, the court adopts the conclusions in the M&R [D.E. 33] and DENIES plaintiff's motion for copies [D.E. 35]. Banks's complaint is DISMISSED as duplicative, and the clerk shall close the case.

SO ORDERED. This 4 day of April 2019.



JAMES C. DEVER III
United States District Judge